

SENATE CHAMBER,
AUSTIN, TEXAS, Thursday, April 20, 1871. }

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Absent—excused—Senators Baker and Flanagan.

Prayer by the Chaplain.

Reading of the journal of yesterday.

Senator Pettit requested the following correction to be made in the resolution introduced by him yesterday (Senate joint resolution No. 31): After the word "political" insert the words "and without prejudice."

Senator Dohoney asked that the caption of Senate bill No. 359, reported by the Committee on State Affairs, be corrected in the journal of yesterday so as to read "An act to amend the first section of 'an act for the incorporation of the city of Paris, in the county of Lamar,' approved August 10, 1870." Corrections made as requested; and

On motion of Senator Saylor, the further reading of the journal of yesterday was dispensed with.

On motion of Senator Hall, the Sergeant-at-Arms was excused for the day on account of sickness.

Senator Pickett moved that the Sergeant-at-Arms be authorized to deputize sheriffs or other officers of the law to serve process of the Senate upon witnesses in the impeachment trial of William H. Russell, Judge of the Fifteenth Judicial District of the State of Texas. Carried.

Special message from the Governor, by his private secretary.

GOVERNOR'S OFFICE,
AUSTIN, April 20, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I return to your House, where it originated, the act entitled "An act to incorporate the Galveston and Denver City Air Line Railway Company, and to promote the construction thereof."

My only objection to this act relates to the fourth and fifth sections. According to the decisions of the Supreme Court of this State, in the case of Buffalo Bayou, Brazos, and Colorado Railroad Company *vs.* George A. Ferris, (Twenty-sixth Texas Reports, p. 588) these sections are clearly unconstitutional.

It is true that several other railroad charters have passed, and be-

come laws, at this and the last session, with certain provisions similar in effect, but the defect was not previously called to my attention, and this having been done, I think a proper estimate of my duty requires me to return the act.

Respectfully,

EDMUND J. DAVIS,
Governor.

Message read, and, on motion of Senator Saylor, was referred to a select committee of three.

The President appointed as such committee, Senators Saylor, Ruby and Fountain.

On motion of Senator Ruby, Mr. Porter, Engrossing Clerk of the Senate, was excused for ten days, on account of sickness in his family.

PETITIONS AND MEMORIALS.

By Senator Parsons: a petition of W. T. Austin. Read, and referred to Committee on Private Land Claims.

Senator Bowers asked for leave of absence for ten days from to-day.

Senator Cole moved that leave of absence asked for be granted. Yeas and nays called for, and leave granted by the following vote:

Yeas—Mr. President. Bell, Cole, Evans, Ford, Fountain, Gaines, Hall, Hillebrand, Latimer, Mills, Parsons, Pettit, Pyle, Saylor, Shannon, Tendick—17.

Nays—Hertzberg, Pickett, Ruby—3.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Engrossed Bills.

COMMITTEE ROOM,
AUSTIN, April 20, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 359, "An act to amend the first section of an act entitled 'an act for the incorporation of the city of Paris, in the county of Lamar,' approved August 10, 1870," find the same to be correctly engrossed.

G. T. RUBY,
P. W. HALL,
E. L. DOHONEY.

Report read and received.

REPORTS OF SELECT COMMITTEE.

Report of Committee of Free Conference on House bill No. 25:

COMMITTEE ROOM,

AUSTIN, April 20, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee of Free Conference, appointed to confer with a like committee from the House on House bill No. 25, an act entitled "An act to incorporate a gymnastic association at New Braunfels, under the name and style of Turnverein New Braunfels," have had the same under consideration, together with said committee from the House, and have agreed to recommend the passage of the bill with the following amendments, to-wit:

1. Amend in line seven, section one, by striking out the words "and other purposes."

2. In line eight, section one, by inserting after the word Braunfels the following: "at the city of New Braunfels, in the county of Comal."

3. In line thirteen, section one, by striking out the words "trading, trafficking."

4. Add to section one the following: "*and provided further, that nothing herein contained shall be so construed as to authorize said company to engage in any business or occupation for profit.*"

Respectfully,

M. H. BOWERS,

Chairman of Senate Committee.

Report read and, on motion of Senator Ford, adopted.

BILLS AND RESOLUTIONS.

By Senator Fountain: a resolution (Senate joint resolution No. 33), "Joint resolution authorizing and requiring the Governor to call a special election to fill certain vacancies." Read first time and referred to the Committee on State Affairs.

Also a bill (Senate bill No. 365) to be entitled "An act supplemental to and amendatory of an act entitled 'an act regulating public printing,' approved August 13, 1870." Read first time and referred to Committee on Printing.

By Senator Pyle: a resolution as follows:

Resolved, That the Governor of the State of Texas be requested to inform the Senate if any sum or sums of money have been realized from the sale, hypothecation or otherwise of the frontier bonds, and if so, the amount or amounts, from whom received, and if the

said money has been deposited in the Treasury of the State in compliance with section six, chapter thirty-two, page forty-six, General Laws Twelfth Legislature.

Read and, on motion of Senator Pickett, adopted.

By Senator Mills: a bill (Senate bill No. 366) to be entitled "An act to purchase a certain number of Paschal's Annotated Digest of the laws of Texas." Read first time and referred to the Committee on Judiciary.

Senator Pettit offered the following resolution:

Resolved, That the actual expenses incurred by Geo. W. Lane in his attendance at the capital as contestant for the senatorial seat of the Third District, be allowed; *provided*, said expenses be itemized and reasonable.

Senator Bell moved that the resolution be rejected. Yeas and nays called for and resolution rejected by the following vote:

Yeas—Mr. President, Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Evans, Ford, Fountain, Gaines, Hertzberg, Hillebrand, Latimer, Mills, Pickett, Pyle, Rawson, Shannon, Tendick—20.

Nays—Hall, Parsons, Pettit, Ruby, Saylor—5.

Under direction of the President the Secretary carried to the House for concurrence Senate bill No. 328, "An act to incorporate the International Insurance Company."

Also, Senate substitute for House bill No. 433, "An act for the relief of S. B. Reid."

Also, informing the House the Senate had passed House concurrent resolution No. 6, "Authorizing the Speaker to appoint a committee of three from the House, to confer with a committee of two from the Senate, to designate a time for adjournment or taking a recess."

Also, refuse to concur in House amendments to Senate bill No. 121, "An act providing that all fees or costs of peace officers shall be taxed and payable in United States currency."

Also, for signature of the Speaker the following enrolled Senate bills:

Senate bill No. 94, "An act to give effect to the several provisions of the Constitution concerning taxes."

Senate bill No. 59, "An act to amend 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870."

Signed by the Speaker, returned and signed by the President of the Senate.

Also, for concurrence, Senate bill No. 359, "An act to amend the first section of 'an act for the incorporation of the city of Paris, in the county of Lamar,' approved August 10, 1870."

On motion of Senator Saylor, the rules were suspended to take from file Senate bill No. 283, "An act to incorporate the Texas Sleeping Car Company." Read second time.

On motion of Senator Fountain, the following amendment reported by the Committee on Judiciary was adopted:

Amendment to Senate bill No. 283 by Judiciary Committee: Amend section seven, line two, by striking out the word "sole."

Senate bill No. 283 ordered engrossed and passed to a third reading.

On motion of Senator Broughton, the rules were further suspended and Senate bill No. 283 read third time and passed.

On motion of Senator Pyle, the rules were suspended to take from file Senate bill No. 232, "An act to incorporate the Dallas and Kaufman East Fork Bridge Company." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Pyle, the rules were further suspended and Senate bill No. 232 read third time and passed.

On motion of Senator Ford, the rules were suspended to take from file House bill No. 309, "An act concerning quarantine regulations by counties and other corporations."

On motion of Senator Ford, House bill No. 309 was recommitted to the Committee on State Affairs.

On motion of Senator Mills, the rules were suspended to take from file House bill No. 469, "An act to incorporate the Galveston Hibernian Society." Read second time and passed to a third reading.

On motion of Senator Ruby, the rules were further suspended and House bill No. 469 read third time and passed.

11 O'CLOCK A. M.

The hour for consideration of special order having arrived, Senate bill No. 308, "An act to organize the Bureau of Immigration."

The question being upon the adoption of the following amendment offered by Senator Bell: Amend by striking out sections eight and nine.

Senator Fountain moved the previous question. Previous question seconded.

The question being "Shall the main question now be put?" the yeas and nays were called for and the main question ordered by the following vote:

Yeas--Mr. President, Col., Ford, Fountain, Hertzberg, Hillebrand, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick--12.

Nays--Bell, Bowers, Broughton, Dohoney, Douglass, Evans, Gaines, Latimer, Mills, Shanton--10.

The yeas and nays were then called for on the adoption of the

amendment offered by Senator Bell, and the amendment was lost by the following vote :

Yeas—Bell, Broughton, Douglass, Evans, Gaines, Hall, Latimer, Mills, Pyle, Shannon—10.

Nays—Mr. President, Bowers, Cole, Dohoney, Ford, Fountain, Hertzberg, Hillebrand, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—14.

Senator Parsons moved that Senate bill No. 308 be engrossed and passed to a third reading.

Yeas and nays called for and the bill ordered engrossed by the following vote :

Yeas—Mr. President, Bowers, Cole, Dohoney, Ford, Fountain, Hertzberg, Hillebrand, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—14.

Nays—Bell, Broughton, Douglass, Evans, Gaines, Hall, Latimer, Mills, Pyle, Shannon—10.

On motion of Senator Parsons, Senate bill No. 308 was read third time.

Senator Ruby moved that the bill do now pass.

12 O'CLOCK M.

The hour for special order having arrived, Senate bill No. 281, "An act to provide for the erection of two new States within the jurisdiction of the State of Texas," on motion of Senator Pickett, the consideration of special order was postponed for fifteen minutes.

The question being on the passage of Senate bill No. 308, yeas and nays were called for and the bill passed by the following vote :

Yeas—Mr. President, Bowers, Cole, Dohoney, Ford, Fountain, Hertzberg, Hillebrand, Parsons, Pettit, Pickett, Rawson, Ruby, Saylor, Tendick—15.

Nays—Bell, Broughton, Douglass, Evans, Gaines, Hall, Latimer, Mills, Pyle, Shannon—10.

Message from the House by the Chief Clerk, returning to the Senate the following Senate bills passed by the House :

Senate bill No. 130, "An act to prohibit the sale of intoxicating or spirituous liquors in the immediate vicinity of the town of Circleville, Williamson county, Texas."

Also, Senate bill No. 31, "An act to incorporate Douglassville College."

Also, Senate bill No. 214, "An act to incorporate the Jamestown High School."

Also, with amendment, Senate bill No. 58, an act to be entitled "An act to incorporate Alta Vista Female Seminary, in Austin county, Texas."

House amendment to Senate bill No. 58 : amend by striking out section three.

Also, transmitting for concurrence the following House bills :

House bill No. 9, "An act to incorporate the McKinney Academy Association."

House bill No. 57, "An act to incorporate the Philosophronian Society of Trinity University."

House bill No. 129, "An act to provide for the election and appointment of a county treasurer, and to prescribe his qualifications and duties."

House bill No. 429, "An act to repeal an act entitled 'an act to incorporate the Sabine and Neches rivers and Pine Island Bayou Internal Improvement Company,' passed August 8, 1870."

House bill No. 583, "An act supplementary to an act entitled 'an act providing for the issuance and sale of the bonds of the State for the purpose of meeting the appropriations made for maintaining ranging companies on the frontier,' approved August 5, 1870."

House bill No. 584, "An act to amend an act entitled 'an act to incorporate the Galveston City Railroad Company,' approved October 8, 1866."

House bill No. 589, "An act supplementary to an act entitled 'an act to incorporate the Casino Society of Yorktown.'"

The hour for postponed special order having arrived, Senate bill No. 281,

On motion of Senator Pickett, the consideration of special order was further postponed for fifteen minutes.

Senator Dohoney moved that the rules be suspended to take from file Senate bill No. 264.

Motion carried, and on further motion, Senate bill No. 264 was made special order for Monday next at 10:30 o'clock A. M.

By leave, Senator Pickett offered the following resolution which was adopted :

WHEREAS, There is a clerical error in the report of the Committee of Conference on Senate bill No. 94, entitled "An act to give effect to the several provisions of the Constitution concerning taxes," on page two, line fourteen, paragraph eight of said report, by the insertion, through clerical mistake, after the word "the," in said fourteenth line, of the words "House recede from," when it was the agreement of said committee that the words "Senate concur in" were the words to be used, being the words expressing what the committee had agreed upon ; therefore,

Resolved, That said clerical error be corrected, and the words, after the word "the," fourteenth line of second page of report, "House recede from" be stricken out, and the words "Senate concur in" be inserted in their stead.

By leave Senator Mills introduced a bill (Senate bill No. 367)

to be entitled "An act to incorporate the Railroad, Real Estate, Building and Savings Association of Texas." Read first time and referred to Committee on State Affairs.

Postponed special order Senate bill No. 281.

Senator Bowers moved that the consideration of Senate bill No. 281, be postponed and the bill made special order for one week from next Monday at 11 A. M.

Yeas and nays called for and motion carried by the following vote.

Yeas—Mr. President, Bell, Bowers, Cole, Ford, Fountain, Gaines, Hall, Hillebrand, Mills, Ruby, Saylor, Shannon, Tendick—14.

Nays—Broughton, Dohoney, Douglass, Evans, Hertzberg, Latimer, Parsons, Pettit, Pickett, Pyle—10.

On motion of Senator Ruby, the rules were suspended to take from file House bill No. 494, "An act to incorporate the Galveston Bank and Trust Company." Read first time.

On motion of Senator Parsons, the rules were further suspended and House bill No. 494 read second time and passed to a third reading.

• On motion of Senator Ruby, the rules were further suspended, and House bill No. 494 read third time and passed.

On motion of Senator Cole, the rules were suspended to take from file Senate bill No. 42, "An act to incorporate the Merchants' and Planters' Savings Bank of Texas."

On motion of Senator Cole, the following House amendments were concurred in:

Amend section one, by striking out the words "have perpetual succession," and inserting in lieu thereof the words "have succession for fifty years."

On motion of Senator Evans, the rules were suspended to take from file Senate bill No. 85, "An act to incorporate the San Antonio Turners' Hook and Ladder Company No. 1;" and

On further motion, the following House amendments were concurred in:

In section five, line three, after word "building" insert "used exclusively."

On motion of Senator Evans, the rules were suspended to take from file Senate bill No. 266, "An act to incorporate the Waco City Cemetery Association;" and

On further motion, the following House amendment was concurred in:

In section one, strike out the words "and alter or change the same at pleasure."

On motion of Senator Fountain, the rules were suspended to take from file House bill No. 432, "An act to amend sections one and four of 'an act to define, establish and mark the boundaries of the counties of Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, Duval and Nueces,' passed July 26, 1870." Read second time and passed to a third reading.

On motion of Senator Fountain, the rules were further suspended, and House bill No. 432 read third time and passed.

On motion of Senator Latimer, the rules were suspended to take from file House bill No. 216, "An act to incorporate the town of Mount Pleasant, in Titus county." Read second time.

On motion of Senator Pyle, the following amendments reported by the Committee on State Affairs were adopted:

Amend section four, line nine, by striking out the word "five" and inserting the word "one."

Amend section six, line six, by striking out the words "six months" and inserting the words "thirty days."

On motion of Senator Pyle, the rules were further suspended, and House bill No. 216 read third time and passed.

On motion of Senator Saylor, the rules were suspended to take from file Senate bill No. 262; "An act to establish a bridge across the San Gabriel river at or near the Compton crossing below the mouth of Brushy creek." Read second time.

On motion of Senator Saylor, the following amendment reported by the Committee on Roads, Bridges and Ferries, was adopted: Strike out the words "free of tax" in section three.

Senate bill No. 262 ordered engrossed and passed to a third reading.

On motion of Senator Saylor, the rules were further suspended and Senate bill No. 262 read third time and passed.

The following House bills were taken from file, read first time and referred as follows:

To the Committee on State Affairs:

House bill No. 9, "An act to incorporate the McKinney Academy Association."

House bill No. 57, "An act to incorporate the Philosophronian Society of Trinity University."

House bill No. 479, "An act amendatory of 'an act to incorporate the Home Insurance Company of Houston, Texas.'"

House bill No. 582, "An act to amend section seven of an act entitled 'an act to incorporate the Texas Banking and Insurance Company,' approved July 1, 1870."

House bill No. 584, "An act to amend an act entitled 'an act to incorporate the Galveston City Railroad Company,' approved October 8, 1866."

House bill No. 589, "An act supplementary to an act entitled 'an act to incorporate the Casino Society of Yorktown.'"

To the Committee on Finance :

House bill 583, "An act supplementary to an act entitled 'an act providing for the issuance and sale of the bonds of the State for the purpose of meeting the appropriations made for maintaining ranging companies on the frontier, approved August 5, 1870.'"

To the Committee on Internal Improvements :

House bill No. 429, "An act to repeal an act entitled 'an act to incorporate the Sabine and Neches Rivers and Pine Island Bayou Internal Improvement Company, passed August 8, 1870.'"

To the Committee on Judiciary :

House bill No. 129, "An act to provide for the election and appropriation of a county treasurer, and to prescribe his qualifications and duties."

House bill No. 224, "An act to release James Rodgers from paying State and county or city occupation tax on the sale of goods, confectioneries and groceries, in the State of Texas."

On motion of Senator Hertzberg, the rules were suspended to take from file House bill No. 277, "An act to amend an act entitled 'an act to incorporate the Agricultural Stock Raising and Industrial Association of Western Texas,' approved July 8, 1870." Read second time.

On motion of Senator Mills, the rules were further suspended, House bill No. 277 read third time and passed.

Senator Latimer moved that the Senate stand adjourned to 10 o'clock A. M., Saturday. Yeas and nays called for and lost by the following vote :

Yeas—Mr. President, Cole, Evans, Gaines, Latimer, Mills, Parsons, Pickett—8.

Nays—Bell, Broughton, Dohoney, Douglass, Ford, Fountain, Hall, Hertzberg, Hillebrand, Pettit, Ruby, Saylor, Shannon, Tendrick—14.

Senator Fountain moved that the Senate stand adjourned to 10 o'clock A. M. to-morrow. Yeas and nays called for and lost by the following vote :

Yeas—Mr. President, Broughton, Cole, Douglass, Evans, Gaines, Latimer, Mills, Pickett—9.

Nays—Bell, Dohoney, Ford, Fountain, Hall, Hertzberg, Hillebrand, Parsons, Pettit, Ruby, Saylor, Shannon, Tendick—13.

Senator Gaines moved that the Senate stand adjourned to 5 o'clock P. M. Lost.

On motion of Senator Parsons, the Senate, at 1 o'clock P. M., adjourned to 4 o'clock P. M.

AFTERNOON SESSION.

4 o'Clock P. M.

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; no quorum present.

Absent—Senators Broughton, Douglass, Ford, Gaines, Mills, Pridgen and Tendick.

Absent—excused—Senators Baker, Bowers and Flanagan.

On motion of Senator Ruby, the Sergeant-at-Arms was dispatched for the absentees.

Senators Broughton, Ford, Pridgen, Mills and Tendick appeared and answered to their names.

Quorum present.

Senator Parsons moved that the Senate proceed to business as in regular afternoon session, each Senator, being allowed to call up one bill as his name is called from the roll. Carried.

On motion of President Campbell, the rules were suspended to take from file Senate bill No. 249, "An act for the relief of John Hendricks." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Pyle, the rules were further suspended and Senate bill No. 249 read third time and passed.

On motion of Senator Bell, the rules were suspended to take from file Senate bill No. 295, "An act for the relief of the sureties of William L. Chatham, late assessor and collector of State taxes. Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Mills, the rules were further suspended, and Senate bill No. 295 read third time.

Senator Mills moved that the bill do now pass.

Yeas and nays taken, and Senate bill No. 295 lost, by the following vote:

Yeas—Mr. President, Bell, Ford, Fountain, Latimer, Mills, Parsons, Pettit, Ruby, Saylor, Shannon—11.

Nays—Broughton, Cole, Dohoney, Evans, Hall, Hertzberg, Hillebrand, Pridgen, Pyle, Rawson, Tendick—11.

On motion of Senator Cole, the rules were suspended to take from file House bill No. 263, "An act to organize and incorporate the Galveston, Jefferson and Saint Louis Railroad Company." Read second time.

Senator Fountain offered the following amendments which were adopted: Amend section four, by striking out all after the word "and"

in line five, and down to the word "procure" in line seven, and insert "in the manner prescribed by the general laws of this State to."

Senator Cole moved that the bill pass to a third reading. Carried.

On motion of Senator Cole, the rules were further suspended, and House bill No. 263 read third time and passed.

On motion of Senator Dohoney, the rules were suspended to take from file Senate bill No. 264, "An act to incorporate the Texas Immigration Land Company."

On motion of Senator Dohoney, the bill was ordered engrossed and passed to a third reading.

On motion of Senator Saylor, the rules were further suspended, and Senate bill No. 264 read third time and passed.

Message from the House transmitting the following Senate bills passed by the House:

Senate bill No. 22, "An act to incorporate the Johnson's Point Male and Female Seminary."

Senate bill No. 241, "An act to incorporate the Mansfield Male and Female College, in Tarrant county."

Senate bill No. 287, "An act to remove the county seat of Grimes county from Anderson to Navasota," with the following amendment: Amend caption so as to read "An act to authorize the Governor to order a special election in the county of Grimes to settle permanently the county site of said county."

Senate bill No. 47, "An act to incorporate the Lamar Female Seminary," with the following amendment: Strike out in section five the words, "which seal it shall have power to make and alter at pleasure."

Also transmitting for concurrence the following House bills:

House bill No. 278, "An act authorizing administrators, executors, guardians and trustees to secure their bonds by pledge of real estate. Read first time and referred to the Committee on Judiciary.

House bill No. 281, "An act to incorporate the Waco Gas Light Company." Read first time and referred to Committee on State Affairs.

House bill No. 298, "An act to incorporate the Germania Club of Brenham." Read first time and referred to Committee on State Affairs.

House bill No. 295, "An act regulating the verdict of juries in civil cases." Read first time and referred to Committee on Judiciary.

House bill No. 318, "An act to repeal an act entitled 'an act to incorporate the Brownsville Levee Company,' approved November 8, 1866." Read first time and referred to Committee on State Affairs.

House bill No. 336, "An act to incorporate the Cotton Press

Association." Read first time and referred to Committee on State Affairs.

House bill No. 348, "An act to incorporate the Hope Independent Fire Company No. 4, of Galveston Texas." Read first time and referred to Committee on State Affairs.

House bill No. 411, "An act to incorporate the Sherman Gas Company." Read first time and referred to Committee on State Affairs.

House bill No. 495, "An act to provide for the continuance of the General Index of special acts and making an appropriation therefor." Read first time and referred to Committee on State Affairs.

House bill No. 498, "An act to authorize the county court of Harris county to issue bonds for the purpose of funding the indebtedness of said county and to provide for their payment." Read first time and referred to Committee on Judiciary.

House bill No. 500, "An act to authorize the fire engine, the hook and ladder and the hose companies of the city of Galveston to increase the number of the men in each company." Read first time and referred to Committee on State Affairs.

House bill No. 501, "An act to incorporate the Germania club of the city of Galveston." Read first time and referred to Committee on State Affairs.

House bill No. 502, "An act to incorporate the French Benevolent and Mutual Assistance Society of Galveston, Texas. Read first time and referred to Committee on State Affairs.

House bill No. 534, "An act to repeal the thirtieth and thirty-first sections of 'an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties,' approved August 13, 1870." Read first time and referred to the Committee on Judiciary.

House bill No. 537, "An act supplementary to 'an act to provide the mode of trying titles to lands,' approved February 5, 1840." Read first time and referred to the Committee on Judiciary.

House bill No. 284, "An act to incorporate the Austin Homestead Building Association." Read first time and referred to the Committee on State Affairs.

Also, for signature of the President the following enrolled House bills:

House bill No. 553, "An act to incorporate the city of Tyler, and to provide for the administration of its municipal affairs."

House bill No. 137, "An act to incorporate the town of Palestine, in the county of Anderson."

Enrolled bills signed by the President in open session.

On motion of Senator Evans, the rules were suspended to take

from file Senate bill No. 321, "An act authorizing the County Court of Dallas county to levy and collect a special tax for the building of a court house." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Evans, the rules were further suspended and Senate bill No. 321 read third time and passed.

On motion of Senator Ford, the rules were suspended to take from file House bill No. 379, "An act to incorporate the Waco Insurance Company." Read second time and passed to a third reading.

On motion of Senator Ford, the rules were further suspended and House bill No. 379 read third time and passed.

On motion of Senator Fountain, the rules were suspended to take from file House bill No. 153, "An act to provide for the obtaining and transcribing of the several acts or charters founding the towns of Reynosa, Camargo, Mier and Guerrero, in the Republic of Mexico, and of Laredo in Texas, and making an appropriation for the same." Read second time and passed to a third reading.

On motion of Senator Fountain, the rules were further suspended and House bill No. 153 read third time and passed.

On motion of Senator Hall, the rules were suspended to take from file Senate bill No. 338, "An act to incorporate the Little Brazos and Robertson county Bridge Company." Read second time and,

On motion of Senator Pridgen, the following amendments, reported by the Committee on Roads, Bridges and Ferries, were adopted:

Amend by striking out the word "police" wherever it occurs and insert in lieu thereof the word "county;" amend section two by adding to said section as the last words, the words "otherwise this act to be null and void;" amend section three by inserting the word "every" before the word "person," in the fourth line of said section; amend section four by striking out the word "or," in the third line, and striking out the word "and" in the fifth line, and insert in lieu thereof the word "or;" amend section five by inserting the word "be" before the word "opened," in the tenth line of said section; amend section six by adding to said section as the last words, the words "and this charter to be null and void if said bridge is not completed within three years from the passage of this act."

On further motion, Senate bill No. 338 ordered engrossed and passed to a third reading.

On motion of Senator Hall, the rules were further suspended and Senate bill No. 338 read third time and passed.

On motion of Senator Mills, the rules were suspended to take from file Senate bill No. 287, "An act to remove the county seat of Grimes county from Anderson to Navasota."

On motion of Senator Mills, the following House amendment was concurred in: House amendment to Senate bill No. 287: Amend title to read as follows: "An act to authorize the Governor to order a special election in the county of Grimes to settle permanently the county site of said county."

On motion of Senator Hertzberg, the rules were suspended to take from file House bill No. 82, "An act for the relief of T. F. Steudebach, late sheriff of Kendall county." Read second time and passed to a third reading.

On motion of Senator Hertzberg, the rules were further suspended and House bill No. 82 read third time.

Question being on final passage, the yeas and nays were taken and House bill No. 82 passed by the following vote:

Yeas—Mr. President, Fountain, Hall, Hertzberg, Hillebrand, Parsons, Pettit, Pridgen, Ruby, Saylor, Shannon, Tendick—12.

Nays—Bell, Cole, Dohoney, Evans, Ford, Latimer, Mills, Rawson—8.

On motion of Senator Hillebrand, the rules were suspended to take from file House bill No. 518, "An act to incorporate the town of Ledbetter, county of Fayette." Read second time and on further motion, the following amendments reported by the Committee on State Affairs were adopted:

Amendments of Committee on State Affairs to House bill No. 518: Amend article two, lines six and seven, by striking out the word "perpetual;" article three, lines twenty-one and twenty-two, by striking out the words "with the concurrence of three members may expel a member."

House bill No. 518, ordered engrossed and passed to a third reading.

On motion of Senator Hillebrand, the rules were further suspended and House bill No. 518, read third time and passed.

On motion of Senator Latimer the rules were suspended to take from file House bill No. 217, "An act to incorporate the town of Dangerfield in Titus county." Read second time and on further motion, the following amendments reported by the Committee on State Affairs were adopted: Amend section four, line ten, by striking out the word "five" and inserting the word "one." Amend section six, line six, by striking out the words "six months" and inserting the words "thirty days."

On motion of Senator Pyle, the rules were further suspended and House bill No. 217 read third time and passed.

On motion of Senator Mills, the rules were suspended to take from file Senate bill No. 142 with substitute (substitute Senate bill No. 142), "An act to incorporate the Brazos and Fort Belknap Railroad Company."

Senate bill No. 142 read second time.

By leave, Senator Fountain introduced a bill (Senate bill No. 368) to be entitled "An act amendatory of and supplemental to an act to give effect to the several provisions of the constitution concerning taxes. Read first time.

On motion of Senator Fountain, the rules were suspended and bill read second time, ordered engrossed and passed to a third reading.

On motion of Senator Fountain, the rules were further suspended and Senate bill No. 368 read third time and passed.

Senator Mills moved that the Senate stand adjourned to 10 A. M., Monday next.

Yeas and nays called for and motion lost by the following vote:

Yeas—Mr. President, Evans, Latimer, Mills, Pettit, Rawson, Saylor—7.

Nays—Bell, Cole, Dohoney, Ford, Fountain, Hall, Hertzberg, Hillebrand, Parsons, Pridgen, Pyle, Ruby, Shannon, Tendick—14.

Senator Fountain moved that the Senate stand adjourned to 10 o'clock A. M., Saturday. Yeas and nays called for, and motion lost by the following vote:

Yeas—Mr. President, Evans, Ford, Fountain, Hall, Hertzberg, Hillebrand, Latimer, Saylor—9.

Nays—Bell, Cole, Dohoney, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick—13.

On motion of Senator Parsons, the Senate, at 5:45 o'clock P. M., adjourned to 10 o'clock A. M. to-morrow.
